

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

OHIO & VICINITY CARPENTERS')	
FRINGE BENEFIT FUNDS, INC.,)	CASE NO. 4:13CV2277
)	
Plaintiff,)	
)	JUDGE BENITA Y. PEARSON
v.)	
)	
DSV BUILDERS, INC.,)	
)	<u>ORDER</u>
Defendant.)	[Resolving ECF No. 6]

Plaintiff Ohio & Vicinity Carpenters' Fringe Benefit Funds, Inc. brings this action to recover delinquent fringe benefit contributions under the provisions of § 301 of the Labor Management Relations Act of 1947 ("LMRA"), as amended, [29 U.S.C. § 185](#), and § 502(a)(3), (e) and (f) of the Employee Retirement Income Security Act of 1974 ("ERISA"), as amended, 29 U.S.C. § [1132\(a\)\(3\), \(e\) and \(f\)](#). Complaint ([ECF No. 1](#)) at ¶ 1.

Pending is Plaintiff's Motion for Default Judgment ([ECF No. 6](#)), filed on December 2, 2013. The Court has been advised, having read the file and reviewed the applicable law.

Defendant was duly served with summons and the Complaint ([ECF No. 1](#)) by certified mail, *see* [ECF No. 4](#); but, has failed to plead or otherwise defend. On December 18, 2013, the Clerk entered the default of DSV Builders, Inc., pursuant to [Fed. R. Civ. P. 55\(a\)](#). *See* [ECF No. 8](#). For good cause shown, Plaintiff's Motion for Default Judgment ([ECF No. 6](#)) is granted.

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Plaintiff is entitled to the costs of the action, together with a reasonable attorney's fee pursuant to [29 U.S.C. § 1132\(g\)\(2\)](#). See [ECF No. 6-4](#). The Court finds that the requested attorney's fee in the amount of \$540.00 is reasonable.

Final Judgment will be entered in favor of Plaintiff Ohio & Vicinity Carpenters' Fringe Benefit Funds, Inc. against Defendant DSV Builders, Inc., in the amount of \$1,960.14.

The Clerk is directed to issue a copy of this Order by regular mail to DSV Builders, Inc., c/o Dominic L. Gatta, III, 1544 North Main Street, Niles, Ohio 44446.

IT IS SO ORDERED.

December 31, 2013
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

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